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Attorneys for Defendant: Otto Trucking LLC

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

Waymo LLC,

Plaintiff,

v.

Uber Technologies, Inc.; Ottomotto LLC; Otto
Trucking LLC,

Defendants.

Case No. 3:17-cv-00939-WHA

[CORRECTED]

**DECLARATION OF HONG-AN VU IN
SUPPORT OF DEFENDANT OTTO
TRUCKING'S ADMINISTRATIVE
MOTION TO FILE UNDER SEAL
EXHIBIT 1 TO THE DECLARATION OF
HONG-AN VU ISO ITS REPLY ISO
MOTION TO ENFORCE THE COURT'S
JUNE 7, 2017 ORDER (DKT. 563)**

Date: August 16, 2017

Time: 8:00 a.m.

Courtroom: 8, 19th Floor

Judge: Honorable William Alsup

Trial Date: October 10, 2017

Filed/Lodged Concurrently with:

1. Admin. Mtn. to File Document Under Seal
2. [Proposed] Order
3. Unredacted Version of Ex. 1
4. Proof of Service

I, Hong-An Vu, declare as follows:

1. I am counsel at the law firm of Goodwin Procter LLP, counsel of record for Defendant Otto Trucking LLC (“Otto Trucking”). I make this declaration based upon matters within my own personal knowledge and if called as a witness, I could and would competently testify to the matters set forth herein. I make this declaration in support of Defendant Otto Trucking’s Amended Administrative Motion to File Under Seal Exhibit 1 to the Declaration of Hong-An Vu in Support of Its Reply in Support of Motion to Enforce the Court’s June 7, 2017 Order (Dkt. 563).

2. On July 28, 2017, Otto Trucking filed an Administrative Motion to File Under Seal Exhibit 1 to the Declaration of Hong-An Vu in Support of Its Reply in Support of Motion to Enforce the Court’s June 7, 2017 Order (Dkt. 563). (Dkt. No. 1040). This motion inadvertently omitted confidentiality designations for Otto Trucking and Defendants Uber Technologies, Inc. (“Uber”) and Ottomotto LLC (“Ottomotto”). Otto Trucking files this amended motion to include those confidentiality designations.

3. I have reviewed the following documents and confirmed that only the portions identified below merit sealing:

Document	Portions to Be Filed Under Seal
Exhibit 1 to the Declaration of Hong-An Vu in Support of Defendant Otto Trucking’s Reply in Support of Motion to Enforce the Court’s June 7, 2017 Order (Dkt. 563) (“Exhibit 1”)	Highlighted Portions (yellow highlighting designated by Otto Trucking; blue highlighting designated by Uber and Ottomotto; green highlighting designated by Waymo LLC)

4. The yellow-highlighted portions of Exhibit 1 contain highly confidential, sensitive business information of Otto Trucking relating to terms of Otto Trucking’s agreements, corporate structure, and financial information. This highly confidential information is not publicly known, and its confidentiality is strictly maintained. If this information were made public, I understand that Otto Trucking’s competitors and counterparties would have insight into how Otto Trucking structures its business agreements, allowing them to modify their own business strategy. Otto Trucking’s competitive standing could be significantly harmed.

5. Otto Trucking seeks to seal the blue-highlighted portions of Exhibit 1 because Uber and Ottomotto have designated the information in these portions as highly confidential. Otto Trucking does not oppose the merits of sealing the material designated by Uber and Ottomotto, and anticipates that Uber and Ottomotto will file declarations in accordance with Local Rule 79-5.

6. Otto Trucking seeks to seal the green-highlighted portions of Exhibit 1 because Plaintiff Waymo LLC (“Waymo”) has designated the information in these portions as “highly confidential” and “attorneys’ eyes only.” Otto Trucking does not oppose the merits of sealing the material designated by Waymo, and anticipates that Waymo will file declarations in accordance with Local Rule 79-5.

7. Otto Trucking's request to seal is narrowly tailored to those portions of Exhibit 1 that merit sealing.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed this 1st day of August, 2017 in Los Angeles, California.

/s/ Hong-An Vu
Hong-An Vu